

Board Member Kevin Hoover called the meeting to order at 5:30 p.m.

PRESENT: Kevin Hoover, Shan Rutherford and Jeff Colvin; Interim Corporation Counsel, Sam Hodson; City Engineer, Daniel Johnston; and Board Clerk Amanda Leach.

Approval of Meeting Minutes

Mr. Rutherford moved to approve the April 16, 2018 Board of Public Works and Safety Meeting Minutes, seconded by Mr. Colvin. **Vote: Ayes. (3-0) Motion carries.**

City of Greenwood Fleet Maintenance

Vehicles for Auction

Todd Petty, Fleet Superintendent, appeared before the Board to request approval for 11 vehicles to be sent to auction and to approve contracting with Christy's for the auction and authorize the mayor to sign on the Board's behalf, so moved by Mr. Rutherford, seconded by Mr. Colvin. **Vote: Ayes. (3-0) Motion carries.**

Award Quote for 2019 Ford F550 Dump Truck (Street Department)

Mr. Petty requested approval to purchase a 2019 Ford F550 Dump Truck for the Street Department. Three quotes were requested from Bloomington Ford, Ray Skillman Ford and Andy Mohr Ford in Plainfield, Andy Mohr came in the lowest at \$60,686.00, payable from 2018 budget LRS – 445. Discussion on quotes received. Mr. Hoover moved to authorize the purchase with Andy Mohr Ford in Plainfield in the amount of \$60,686.00, seconded by Mr. Rutherford. **Vote: Ayes. (3-0) Motion carries.**

Award Bid for 2019 Tandem Axle Dump Truck (Street Department)

Mr. Petty requested award of the bid for a 2019 Tandem Axle Dump Truck, Palmer Trucks was the only bid received in the amount of \$193,619.00 minus trade-in of a 2001 International Single Axle Dump Truck and Plow VIN ending # HS02381 of \$3,000.00 for a total cost of \$190,619.00 to be paid from an approved additional appropriation to LRS 445. The bid has been found to be responsive by the Legal Department. Mr. Hoover moved to award the bid as presented, seconded by Mr. Colvin. **Vote: Ayes. (3-0) Motion carries.**

948 Sable Ridge Drive, Lot 141, Sable Ridge, Sec. 2

Mr. Spencer, Homeowner, appeared before the Board to request approval to construct a 6' Wood fence in the back yard. Mr. Spencer has proposed to encroach into a platted 10' Drainage and Utility Easement located adjacent to the West property line. Mr. Spencer has obtained the necessary letters from utility companies and submitted those approvals with the encroachment packet. Mr. Rutherford moved to approve of the encroachment request, subject to the following conditions:

- 1) That the fence be constructed to allow for adequate drainage and if it is determined by the Engineering Division and or Storm Water Dept. that a drainage issue has been created that the homeowner will be responsible to correct said drainage issue.
- 2) Should work within any easement be necessary by any of the utilities or the City, the Owner shall be responsible for removal and replacement of owner's fence at his sole expense, and owner further holds harmless utilities and City for any damage to said fence.

Seconded by Mr. Colvin. **Vote: Ayes. (3-0) Motion carries.**

700 Commerce Parkway West Drive

Bryan Durr, Circle City Lighting, INC on behalf of the property owners of 700 Commerce Park West Dr., appeared before the Board to request to construct a sign that will encroach into a platted 50' Drainage and Utility Easement (50'D. & U.E. The owner has obtained the necessary letters from utility companies and submitted those approvals with the encroachment packet. Mr. Rutherford moved to approve the encroachment request, subject to the following conditions:

- 1) Sign permit is still required.
- 2) The sign shall not disrupt the flow of the water in the immediate vicinity of the sign base.

- 3) Should work within any easement be necessary by any of the utilities or the City, the Owner shall be responsible for removal and replacement of owner's sign at his sole expense, and owner further holds harmless utilities and City for any damage to said sign.
- 4) Encroachment agreement prepared by the legal department and executed by the owner of the parcel and the Board of Public Works and Safety.

Seconded by Mr. Hoover. **Vote: Ayes. (3-0) Motion carries.**

2473 Shadowbrook Trace, Lot 62, Briarstone, Sec. 2

Mr. Willoughby, Homeowner, appeared before the Board to request to construct a shadow box style fence in the back yard. Mr. Willoughby proposed to encroach into a platted 10' Drainage and Utility Easement located adjacent to the South property line, and a 20' Drainage and Utility Easement located adjacent to the East property line. There is an existing storm line buried in the easement adjacent to their South property line with approximately 1.5 feet of cover. Mr. Willoughby obtained the necessary letters from the Architectural Control Committee of the HOA, and utility companies and submitted those approvals with the encroachment packet. The Stormwater Department would recommend no construction of a fence directly over the Stormwater Sewer line on the South side of the property and would ask that the catch basin is not obstructed or enclosed for maintenance access. Mr. Colvin moved to approve the encroachment request, subject to the following conditions:

- 1) That the fence be constructed in the 20ft. D&UE to allow for adequate drainage, and if it is determined by the Engineering Division and or the Stormwater Dept. that a drainage issue has been created the homeowner will be responsible to correct said drainage issue.
- 2) That the encroachment into the 10ft. D&UE along the North property line shall have posts no closer than five (5) feet to the buried storm sewer, and that the Stormwater Dept. is notified prior to constructing the fence so that the existing storm line can be marked
- 3) That the Stormwater Dept. is notified following completion of fence construction so that an inspection of the Storm Sewer can be made. If installation of the fence causes damage to the storm sewer, the Owner shall repair or replace the damaged portion of the Storm Sewer to the satisfaction of the City at the Owners expense.
- 4) Should work within any easement be necessary by any of the utilities or the City, the Owner shall be responsible for removal and replacement of owner's fence at his sole expense, and owner further holds harmless utilities and City for any damage to said fence.

Seconded by Mr. Rutherford. **Vote: Ayes. (3-0) Motion carries.**

St. Francis White River Township Emergency Dept.

Randy Smith, Tonn and Blank Construction, LLC, appeared before the Board to request the following:

- 1) Release of performance bond #106721885 from Travelers Casualty and Surety Company of America in the amount of \$11,718.85 for the installation of the private dirt work and storm sewer at the St. Francis White River Township Emergency Department site.
- 2) Release of performance bond #106721886 from Travelers Casualty and Surety Company of America in the amount of \$23,774.58 for the installation of the private erosion control at the St. Francis White River Township Emergency Department site.
- 3) Release of performance bond #106721887 from Travelers Casualty and Surety Company of America in the amount of \$5,997.40 for the installation of the sidewalks in the public right-of-way along Stones Crossing Road at the St. Francis White River Township Emergency Department site.
- 4) Authorization of the refund of the 50% upfront fee of \$250.00 that was paid for the general inspection and testing agreement for the St. Francis White River Township Emergency Department site.

This project (Plan Commission Docket Number PC2017-023) had received plan commission approval in 2017 and a land alteration permit was issued for this project on July 17, 2017. The performance guarantees and inspection and testing agreement referenced above were accepted by the Board at their July 05, 2017 meeting. Early in 2018, the City was informed that the developer no longer wanted to proceed with this project and with a letter dated April 05, 2018 from Franciscan Health, the developer asked that the Land Alteration Permit be revoked and requested that the performance guarantees be released and the inspection and testing fee be refunded as Franciscan Health has chosen not to proceed with this project at this time. Mr. Hoover moved to acknowledge that Franciscan Health has asked that the land alteration permit be revoked, to release the performance guarantees for private dirt work, storm sewer, erosion control and the sidewalks

in the public right-of-way along Stones Crossing Road and to authorize the refund of \$250.00 for the general inspection and testing agreement, all for the St. Francis White River Township Emergency Department site, seconded by Mr. Rutherford. **Vote: Ayes. (3-0) Motion carries.**

Greenwood Station, Section 7

Joseph Heck, Projects Plus, appeared before the Board to request a waiver from “Chapter 9 – Utilities, Article 4 – Storm Water Management, Division II - Stormwater Drainage and Sediment Control Standards, Section 9-156 – Stormwater Quantity Management, Paragraph c. Detention Facilities”, which then refers you to the Stormwater Technical Manual, specifically, Chapter 3 – Methodology For Determination of Runoff Rates, Section B – Development Sites Greater than Five (5) Acres in Size or Contributing Drainage Area Greater than Twenty-Five (25) Acres or With Significant Depressional Storage, in particular “soils group”, which reads as follows;

“The Runoff rate for these Development Sites and contributing Drainage Areas shall be determined by a computer model that can generate Hydrographs based on the NRCS TR-55 Time of Concentration and Curve Number calculation methodologies. Note that for the purpose of determining the post-developed conditions Curve Numbers, due to significant disturbance to the upper Soil layers during the construction activities, the initially determined hydrologic Soil group for disturbed areas should be changed to the next less infiltrating Capacity category (i.e., A to B, B to C, and C to D).”

The existing detention pond in this area of Greenwood Station was originally master planned in 2002 and met all drainage requirements at that time. The developer re-platted a portion of Greenwood Station within the last 3 years to remove a street that had been originally primary platted years ago. Because of the re-plat, the existing detention pond in this area of Greenwood Station falls under the new requirements of the Stormwater Technical Manual which are much more conservative than the City’s former Drainage Ordinance. The developer has made modifications to this existing detention pond during the construction of Greenwood Station, Section 6 and has made the existing pond more in line with the current Technical Manual standards.

If the waiver is approved, the overall increase in runoff for the 100 year storm event would be 0.47 cfs which is still well under the allowable 100 year storm event release rate of 27.12 cfs. If the waiver is not approved, major modifications would be required to the existing detention pond that again, was originally master planned in 2002 and met all of the requirements of the City’s former Drainage Ordinance and was modified during Greenwood Station, Section 6 construction to make the existing detention pond more in line with the current Technical Manual standards. The engineering division recommends the following motion to the Board. Mr. Colvin moved to table the matter until the May 21, 2018 meeting subject to the Legal Department reviewing and preparing the proper Notice of Decision for the Board to act on, seconded by Mr. Hoover. **Vote: Ayes. (3-0) Motion carries.**

Items from the Audience

None.

IDEM Compliance Plan Status Update

Semi-Monthly Additional Plan Report has been filed, Western Regional Interceptor Project parcel acquisition continues.

Corporation Counsel Status of Tasks

Ratify Confidentiality Agreement Worthsville Road Section 3, Parcel 15

Mr. Hodson stated the Board approved this agreement at its previous meeting; it was necessary to add the party performing the appraisal work to the agreement, and the Mayor signed the amended agreement to expedite the matter and would request ratification of his signature, so moved by Mr. Hoover, seconded by Mr. Rutherford. **Vote: Ayes. (3-0) Motion carries.**

Authorize and Set Minimum Bid for Sale of 1384 Echo Bend

Mr. Hodson stated the appraisals regarding the sale of 1384 Echo Bend are complete. Pursuant to Ind. Code §§ 36-1-11-3 and 4, a minimum bid for the property must be determined. Mr. Hodson stated the two bids came in at \$35,000 and \$40,000. Discussion on the bid amount ensued. Mr. Colvin moved to set the minimum at \$35,000 and direct staff to prepare and publish any documents necessary to effectuate the sale, seconded by Mr. Hoover. **Vote: Ayes. (3-0) Motion carries.**

Consideration of Resolution No. 18-10 – Approve a Policy Regarding Tobacco and E-Cigarettes On City Property

Mr. Hodson presented Res. 18-10 with a revised Tobacco Policy to include E-Cigarettes and Chewing Tobacco. Mr. Rutherford moved to approve as presented, seconded by Mr. Hoover. **Vote: Ayes. (3-0) Motion carries.**

Western Regional Interceptor Project

Mr. Hoover moved to accept temporary sanitary sewer easement(s) (Temp. SSE) and permanent sewer easement(s) (SSE) from, and authorize payment to, owners of the following properties:

- Parcel 18 – SSE
- Parcel 20A – SSE and Temp. SSE
- Parcel 152 – SSE and Temp. SSE
- Parcel 178 – SSE and Temp. SSE
- Parcel 184 – SSE
- Parcel 210 – Temp. SSE
- Parcel 231 – SSE
- Parcel 306 – Temp. SSE
- Parcel 311 – SSE
- Parcel 318 – SSE
- Parcel 324- SSE

Second by Mr. Colvin. **Vote: Ayes. (3-0) Motion carries.**

Mr. Rutherford moved to approve the Administrative Settlements for the following parcels:
Administrative Settlement

- Parcel 18 Rev.
- Parcel 199
- Parcel 213
- Parcel 236
- Parcel 315
- Parcel 151

Seconded by Mr. Colvin. **Vote: Ayes. (3-0) Motion carries.**

Mr. Colvin moved to approve filing Eminent Domain action on the following parcels:

- Parcel 168
- Parcel 169
- Parcel 171
- Parcel 173
- Parcel 174
- Parcel 175
- Parcel 176

Seconded by Mr. Rutherford. **Vote: Ayes. (3-0) Motion carries.**

CDS Director Status of Task

Meadows at Bainbridge, Section 5, Phase 1

Daniel Johnston, City Engineer, requested the following:

- 1) Acknowledgement of the signs & monuments are still in satisfactory condition in the field at the Meadows at Bainbridge, Section 5, Phase I.

- 2) Release of a three (3) year maintenance bond #1084282 from Lexon Insurance Company in the amount of \$3,296.70 for the signs & monuments at the Meadows at Bainbridge, Section 5, Phase I.

There has been a recent field inspection completed by the Engineering Division and the signs & monuments appear to still be in satisfactory condition. Mr. Rutherford moved to acknowledge that the signs & monuments appear to still be in satisfactory condition in the field and to release the three (3) year maintenance guarantee for the signs and monuments, all for the Meadows at Bainbridge, Section 5, Phase I, seconded by Mr. Hoover. **Vote: Ayes. (3-0) Motion carries.**

2018 Bituminous Overlay Project

Mr. Johnston stated the Engineering Division and Street Department are requesting to award the base bid to Dave O'Mara Contractor, Inc. as the lowest responsive and responsible bidder for the 2018 Bituminous Overlay Project. There were 5 bids received for this project and the bids were opened on May 04, 2018 at 2:00 p.m. The results are as follows:

Base Bid

Dave O'Mara Contractor, Inc:	\$936,696.25
Milestone Contractors, L.P.:	\$1,059,000.00
Grady Brothers, Inc.:	\$1,252,335.75
Rieth-Riley Construction Co., Inc.:	\$1,369,587.52
Calumet Civil Contractors, Inc.:	\$1,499,669.00

The low bid from Dave O'Mara Contractor, Inc. has been reviewed by the Legal Department, Street Department and Engineering Division and was found to be acceptable and in order. Mr. Rutherford moved to award the base bid to Dave O'Mara Contractor, Inc. as the lowest responsive and responsible bidder for the 2018 Bituminous Overlay Project, subject to available funding being finalized by the Finance Department, seconded by Mr. Colvin. **Vote: Ayes. (3-0) Motion carries.**

Worthsville Road, Section 3

Mr. Johnston stated Worthsville Road Section 3 (from Averitt Road to US 31) has reached the timeframe for land acquisition. Our consultant, and their sub-consultants, have identified the areas required for the project. The project originally identified 17 parcels to be acquired. One parcel was previously eliminated. The remaining 16 parcels are in varying stages of design, appraisal, and acquisition. The City has received a Statement of Basis of Just Compensation (SBJC) for Parcel #3 on the project. The parcel is owned by the Pines of Greenwood Homeowners Association. The area to be acquired is 3,369 SF (fee simple) and 718 SF (temporary). It affects the HOA's Common Area "A" and Common Area "D". The Just Compensation for the partial acquisition of this Parcel is \$61,875. The SBJC documents were reviewed by City Staff. This information has been added to the project's overall List of Offering document. Mr. Hoover moved to approve the offer for Parcel #3 and authorize the City Engineer to sign the SBJC forms, pending approval of funding for this acquisition by the RDC at its next meeting, seconded by Mr. Rutherford. **Vote: Ayes. (3-0) Motion carries.**

Valvoline Instant Oil Change, 266 S. SR 135

Mr. Johnston on behalf of representatives for the above referenced project requested the following:

- 1) Acceptance of performance bond #9279249 from Fidelity and Deposit Company of Maryland in the amount of \$17,904.26 for the installation of the dirt work and storm sewer at the Valvoline Instant Oil Change site.
- 2) Acceptance of performance bond #9279248 from Fidelity and Deposit Company of Maryland in the amount of \$1,291.40 for the installation of the erosion control at the Valvoline Instant Oil Change site.
- 3) Acceptance of performance bond #9279250 from Fidelity and Deposit Company of Maryland in the amount of \$3,067.49 for the installation of the street improvements in the public right-of-way at the Valvoline Instant Oil Change site.
- 4) Acceptance of performance bond #9285851 from Fidelity and Deposit Company of Maryland in the amount of \$2,508.00 for the installation of the sidewalks along S.R. 135 at the Valvoline Instant Oil Change site.
- 5) Acceptance and execution of the general inspection and testing agreement and ratify the acceptance of the 50% upfront fee for the Valvoline Instant Oil Change site.

- 6) Acceptance and execution of the Public Sidewalk Easement Grant for the sidewalk that is to be installed along S.R. 135 at the Valvoline Instant Oil Change site.
- 7) Acceptance and execution the Grant of Limited Drainage Easement for the dry detention area at the Valvoline Instant Oil Change site.

The performance guarantees have been reviewed and approved the Legal Department and the Engineering Division. The inspection and testing agreement and fee are in order. The Public Sidewalk Easement Grant and the Grant of Limited Drainage Easement documents have been prepared by the Legal Department. The legal descriptions and exhibits for both easements have been reviewed and approved by the Engineering Division. Mr. Colvin moved to accept the performance guarantees for dirt work, storm sewer, erosion control, street and sidewalk improvements, to accept the general inspection and testing agreement and fee, and to accept and execute the Public Sidewalk Easement Grant and Grant of Limited Drainage Easement, all for the Valvoline Instant Oil Change site, seconded by Rutherford. **Vote: Ayes. (3-0) Motion carries.**

Controller

Acceptance and Approval of Investment Policy

Greg Wright, City Controller, appeared before the Board to present an Investment Policy. The State of Indiana has a policy and permits local Cities and Towns to adopt a local policy under the standards set by the State. The Controller's Office has prepared a current policy and would request approval by the Board for acceptance. This matter is going before the Council under Resolution No. 18-10 as well, so moved by Mr. Rutherford as presented, seconded by Mr. Colvin. **Vote: Ayes. (3-0) Motion carries.**

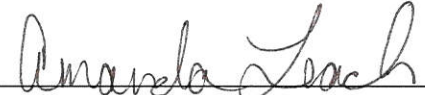
Claims

Mr. Rutherford moved to accept and approve the claims as presented through May 9, 2018, seconded by Mr. Colvin. **Vote: Ayes. (3-0) Motion carries.**

With no further business, the meeting adjourned at 6:02p.m. The next regularly scheduled Board of Public Works and Safety meeting is to be held on Monday, May 21, 2018 at 5:30 p.m. at the City Center Building.



Kevin Hoover, Board Member



Amanda Leach, Board Clerk